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LETTER DATED 7 NOVEMBER 1997 FROM THE EXECUTIVE CHAIRMAN OF THE SPECIAL COMMISSION ESTABLISHED BY THE SECRETARY-GENERAL PURSUANT TO PARAGRAPH 9 (b) (i) OF SECURITY COUNCIL RESOLUTION 687 (1991) ADDRESSED TO THE PRESIDENT OF THE SECURITY COUNCIL

Further to my letter of 5 November 1997 (S/1997/848), I believe that you, and through you the members of the Security Council, will wish to be aware of further developments concerning the Special Commission's work pursuant to the Council's decisions.

On 6 November, teams from the Commission's Baghdad Monitoring and Verification Centre attempted to conduct inspections in the Baghdad area to investigate, inter alia, the movement of equipment under monitoring (which was notified to you in my letter of 5 November). The teams were again blocked. The attempt to inspect these sites for the same reason was repeated again today, 7 November. Again, the teams were blocked.

In addition, a team tried to visit a monitored site to change cassettes in chemical air samplers. Such samplers are used to detect prohibited chemical activities if they have occurred. The cassettes need to be changed on a regular basis and analysed at the Commission's laboratory in Baghdad. The team was denied access to the site to carry out this work. This work is an essential part of the Commission's ongoing monitoring and verification activities, laid down in the monitoring plan and approved by the Council in its resolution 715 (1991). Such air samplers are installed in a number of facilities throughout Iraq. Were Iraq's blocking actions to continue, the Commission would be denied this additional means of detecting that iraq is not engaged in prohibited activities. It is the case that some of these chemical sites in Iraq have the capability to carry out chemical warfare-related activities within a matter of days.

I should also like to draw to the attention of the Council the attached letter addressed to me from the Chargé d'affaires of the Permanent Mission of Iraq (see annex), which repeats the Iraqi authorities' unacceptable charge from the Deputy Prime Minister of 29 October that the Commission's U-2 aircraft "has been spying on Iraq ... in order to execute America's hostile policy against Iraq under cover of the Commission's operations". It states that flights by the

high-altitude reconnaissance aircraft cannot be accepted. It urges the cancellation of a flight notified by me in a letter of 5 November. It further warns that I will "bear the responsibility for the consequences that will ensue" if I decide to send the aircraft to Iraq, "especially in circumstances where our anti-aircraft defences are being activated everywhere and are being made ready to meet the possibility of aggression".

The Council will also wish to be aware that, on 6 November, the Director of the Baghdad Monitoring and Verification Centre wrote to his counterpart at Iraq's National Monitoring Directorate reminding him of Iraq's responsibility to provide adequate internal lighting and unobstructed views for all monitoring cameras installed by the Commission. The Government of Iraq responded on the same day that they had taken measures to keep adequate internal lighting and unobstructed views for all cameras at monitored sites. The letter from Iraq also asked that the Commission advise the Iraqi authorities of any defect that might occur to the monitoring system at such sites. Initial reports from the Baghdad Monitoring and Verification Centre indicate that all internal lighting at the camera-monitored sites has now been turned on and physical obstructions on the cameras have been removed. Nevertheless, equipment remains out of camera view, either obscured by structures emplaced around its location or physically absent. This situation does not enable the Commission to determine the equipment's whereabouts, or its possible use. Therefore, the concerns raised in my letter of 5 November remain.

I would be grateful if you would bring the present letter to the attention of the members of the Security Council.

(Signed) Richard BUTLER

Annex

[Original: Arabic]

Letter dated 6 November 1997 from the Chargé d'affaires a.i. of the Permanent Mission of Iraq to the United Nations addressed to the Executive Chairman of the Special Commission established by the Secretary-General pursuant to paragraph 9 (b) (i) of Security Council resolution 687 (1991)

With reference to the letter dated 29 October 1997 from the Deputy Prime Minister of Iraq addressed to the President of the Security Council (S/1997/829), I should like to affirm our stance concerning the U-2 aircraft as set forth in that letter and to draw your attention to it. Because of its importance, I deem it appropriate to recall it here again. The text in question states as follows:

> "I have explained in my letter dated 12 October 1997 addressed to you the question of the U-2 plane used by the Special Commission. The U-2 plane is an American spying plane which has been spying on Iraq and its leadership in order to execute America's hostile policy against Iraq under cover of the Special Commission's operations. It also provides the Special Commission with deliberately misleading information with a view to create problems and superficial crises as specifically happened in June and September 1997. We request that the Special Commission withdraw its cover from that spy plane flying over Iraqi skies and we stand ready to arrive at a neutral formula with the Special Commission, with the participation of the permanent members of the Security Council, if there is a need for such activity. In my letter to you of 12 October 1997, I made proposals, such as replacing the U-2 plane by an Iraqi plane which is to be fully placed under the disposal of the Special Commission, or by using a plane belonging to a neutral State that has no special objectives against Iraq."

As stated by our Permanent Representative, Ambassador Nizar Hamdoon, in his letter of 2 November 1997 addressed to you (S/1997/837, annex): in the light of current developments, Iraq anticipates that the United States will engage in military aggression against it, as it has done on previous occasions. Accordingly, the entry of a United States spy plane into Iraqi airspace cannot be accepted. We therefore urge you to cancel the U-2 overflights of which you gave notification in your letter to us of 5 November 1997.

We regret your insistence on sending the spy plane in these circumstances, when a dialogue is under way between Iraq and the Secretary-General of the United Nations and despite the Secretary-General's request. This insistence also comes at a time when Iraq has decided to postpone giving effect to its decision to deport the Americans working with the Special Commission. You will therefore bear the responsibility for the consequences that will ensue from any

decision by you to send the spy plane to Iraq, especially in circumstances where our anti-aircraft defences are being activated everywhere and are being made ready to meet the possibility of aggression.

(Signed) Saeed H. HASAN
Chargé d'affaires a.i.